

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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ADMIRAL INSURANCE COMPANY,

Plaintiff,

-against-

BUILDERS CHOICE OF NEW YORK, INC.

D/B/A UPSTATE ROOFING AND SIDING

AND POLIVIO VALDIVIESO,

Defendants.

21 **CIVIL** 2460 (NSR)(AEK)

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BUILDERS CHOICE OF NEW YORK, INC.

**JUDGMENT**

D/B/A UPSTATE ROOFING AND SIDING,

Third-Party Plaintiff,

-against-

EVANSTON INSURANCE COMPANY,

Third-Party Defendant

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Plaintiff Admiral's motion for summary judgment is DENIED and Defendant Builders Choice's cross-motion for summary judgment is GRANTED. Third-Party Defendant Evanston's motion for summary judgment is GRANTED and Third-Party Plaintiff Builders Choice's cross-motion for summary judgment is DENIED. The Clerk of Court is directed to (1) enter judgment

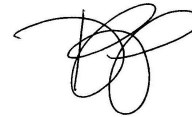
in favor of Defendant Builders Choice in the initial action; (2) enter judgment in favor Third-Party Defendant Evanston in the third-party action; and (2) terminate the third-party action.

**Dated:** New York, New York

September 25, 2024

**DANIEL ORTIZ**  
**Acting Clerk of Court**

**BY:**

A handwritten signature in black ink, appearing to be 'D. Ortiz', written over a horizontal line.

**Deputy Clerk**